

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JUDGMENT IN A CIVIL CASE

DESIREE YAGAN et ano.

vs.

CASE NUMBER: 5:10-cv-0453 NPM

HOWARD JENKINS et al.

Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that plaintiff Yagan's motion to proceed *in forma pauperis* is granted for purposes of evaluating plaintiff's complaint and deciding her accompanying motion for a TRO; plaintiff's motion for a preliminary injunction and emergency TRO is denied; and plaintiff's complaint is dismissed with prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

All of the above pursuant to the order of the Honorable Judge Neal P. McCurn, dated the 20th day of April, 2010.

DATED: April 22, 2010


Clerk of Court

s/

Christine Mergenthaler
Deputy Clerk

entered on docket 4/22/10
served 4/22/10